

REMARKS/ARGUMENTS

Applicants have received and carefully reviewed the Office Action mailed August 4, 2009. Currently, claims 47-58 are pending and have been rejected. Claims 52 and 53 have been amended to correct a typographical error. New claims 60-63 are presented herein. No new matter has been added. Favorable consideration of the above amendments and the following remarks is respectfully requested.

Claim Amendments

Claims 52 and 53 have been amended to correct a typographical error.

New dependent claims 60-63 are presented herein. The claims are supported, for example, by page 4, lines 4-23 of the specification. As discussed below, Applicants believe independent claims 47 and 54 are allowable. Therefore, new claims 60-63, which depend therefrom and add additional limitations thereto, are also believed to be allowable, and favorable consideration is respectfully requested.

Claim Rejections – 35 USC § 102

Claims 47-49, 51, 54, 55, 57, and 58 were rejected under 35 U.S.C. §102(b) as being anticipated by Reum (U.S. Patent No. 5,181,750). After careful review, Applicants must respectfully traverse this rejection.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)...“The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). (MPEP 2131).

Independent claims 47 and 54 each recite, in part, “wherein the distal strain relief portion has a first flexibility adjacent a distal end thereof and a second flexibility different from the first flexibility adjacent a proximal end thereof”. Reum does not appear to disclose at least this limitation of the claims, and Applicants note that the Examiner has not expressly addressed this limitation.

Strain relief handle 61 of Reum may be considered to have some inherent

flexibility. However, Reum does not appear to provide any substantive discussion regarding the flexibility characteristics of the disclosed strain relief handle. Accordingly, Reum does not appear to disclose the distal strain relief portion has a different flexibility adjacent each of the proximal and distal ends. Absent any discussion by Reum regarding the claimed different flexibilities, Applicants submit that Reum cannot be considered to disclose the claimed limitation, either expressly or inherently.

As discussed above, Reum does not appear to disclose each and every element of independent claims 47 and 54 in as complete detail as is contained in the claims. Therefore, Reum cannot anticipate the claims. Since claims 48-49, 51, 55, 57, and 58 depend therefrom and add additional elements thereto, these claims also cannot be anticipated by Reum. Applicants respectfully request that the rejection be withdrawn.

Applicants also note that on page 2 of the Office Action, Reum is asserted to disclose “the hub further comprising wings (52b)”. Applicants respectfully disagree. Molded tabs 52b appear to be disclosed as integrally formed features of threaded receiver 52. Threaded receiver 52 of coupler 50 does not appear to be a part of a monolithic hub monolithically molded as a single piece of a single material, as required by the claims. Coupler 50, including receiver 52 with tabs 52b, appears to be assembled together and then chemically joined or “welded” to the inner surface of hose 12. Coupler 50 does not appear to be monolithically molded with strain relief device 61. Therefore, Reum does not appear to disclose a proximal hub molded to include transversely extending wings.

Claim Rejections – 35 USC § 103

Claims 50 and 56 were rejected under 35 U.S.C. §103(a) as being unpatentable over Reum as modified by Folkman (U.S. Patent No. 5,333,650). After careful review, Applicants must respectfully traverse this rejection.

“All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). (MPEP 2143.03).

As discussed above, Reum does not appear to disclose or suggest each and every element of independent claims 47 and 54, as is required to establish a prima facie rejection. Folkman does not appear to remedy the shortcomings of Reum with respect to

claims 47 and 54. Therefore, claims 47 and 54 are believed to be patentable over the cited combination. Since claims 50 and 56 depend therefrom and add additional elements thereto, Applicants believe that these claims are also patentable over the cited combination. Withdrawal of the rejection is respectfully requested.

Claims 52 and 53 were rejected under 35 U.S.C. §103(a) as being unpatentable over Reum. After careful review, Applicants must respectfully traverse this rejection.

As discussed above, Reum does not appear to disclose or suggest each and every element of independent claim 47, as is required to establish a prima facie rejection. Since claims 52 and 53 depend therefrom and add additional elements thereto, Applicants believe that these claims are also patentable over Reum. Withdrawal of the rejection is respectfully requested.

Conclusion


In view of the foregoing, all pending claims are believed to be in condition for allowance. Further examination, reconsideration, and withdrawal of the rejections are respectfully requested. Issuance of a Notice of Allowance in due course is anticipated. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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By their Attorney,

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